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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
Derek Van Der Kooy :
Vincent Tropepe :
Serial No. 09/966,768 :
Filed: September 28, 2001 :
For: PRIMITIVE NEURAL STEM CELLS :
AND METHOD FOR DIFFERENTIATION OF :
STEM CELLS TO NEURAL CELLS :
05/13/2002 R KELLEY 00000010 041406 09966768

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Petition Regarding Allegedly Omitted Items from Specification

Applicants are in receipt of a Notice to file Missing Parts in connection with the above-identified patent application. The Notice indicates that pages 62-64 of the application were omitted.

Applicants respectfully submit that 68 pages of specification, 7 sheets of drawings and 6 sheets of sequence listing were filed with United States Patent and Trademark Office on September 28, 2001. A return postcard with the USPTO stamp evidencing receipt of these materials is attached to this petition.

The specification filed was a faxed copy received in the office of the undersigned on September 28, 2001. The number "4" at page "64" of the application is cut off and resembles the number "1". A copy of the specification as filed is also attached to this petition. Applicants respectfully submit that a close inspection of the papers as filed will reveal that pages 62-64 are included in the application received by the USPTO. Mrs. Robinson at the customer service center- Initial Patent Examination Division was contacted on January 15, 2002 regarding this matter. She agreed to have the file reviewed for the presence of pages 62-64.

A petition fee of \$130.00 dollars in accordance with 37 C.F.R. §1.17(h) is required upon Applicants contention that the above-noted omitted items were in fact deposited with the USPTO. Accordingly, the Commissioner is authorized to charge the fee to the deposit account of the undersigned: Deposit Account No. 04-1406. The Notice also indicates that this fee will be refunded to Applicant if it is determined that the above noted items were indeed received by the USPTO. Applicants fully expect to receive such a refund.

This application represents an advance in the art of neural stem cells and methods of use thereof. Early and

favorable action on this application is earnestly solicited.

Respectfully submitted,
DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By


Kathleen D. Rigaut, Ph.D., J.D.
PTO Registration No. 43,047

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Enclosures: Copy of postcard stamped by USPTO
Copy of specification as originally filed on
9/28/01

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